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11 *Attorney for Defendants Regional Trustee Services
12 Corporation and Mortgage Electronic Registration Systems, Inc.*

13 UNITED STATES DISTRICT COURT

14 DISTRICT OF NEVADA

15 OSCAR GARCIA,

16 Plaintiff,

17 v.

18 REGIONAL TRUSTEE SERVICES
19 CORPORATION, a foreign corporation;
20 FIRST HORIZON HOME LOANS
21 CORPORATION, a revoked corporation;
22 MORTGAGE ELECTRONIC
23 REGISTRATION SYSTEMS, INC., a foreign
24 corporation; and DOES 1-10 Inclusive, and all
25 other persons unknown claiming any right title,
26 estate, lien or interest in the real property
described herein,

Defendants.

CASE NO.: 3:11-cv-00470-ECR-VPC

**DEFENDANTS REGIONAL TRUSTEE
SERVICES CORPORATION AND
MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.'S
STATEMENT OF REMOVAL**

Defendants Regional Trustee Services Corporation (hereinafter "Regional") and Mortgage
Electronic Registration Systems, Inc. (hereinafter "MERS") hereby submit their Statement of
Removal pursuant to this Court's Minute Order dated July 5, 2011.

STATEMENT OF REMOVAL - 1

Law Offices
ROBINSON TAIT, P.S.
710 Second Avenue, Suite 710
Seattle WA 98104
(206) 676-9640

1. Date of Service of Complaint on Defendants Regional and MERS: Defendants
 2 Regional and MERS have not been properly served with a copy of the Complaint. Defendants
 3 Regional and MERS obtained a copy of the Complaint upon request to the Court on or about June 6,
 4 2011.

5. 2. Date of Service of Summons on Defendants Regional and MERS: Defendants
 6 Regional and MERS have not been properly served with a copy of the Summons. An unknown
 7 person handed a copy of the Summons to the crier at the trustee's sale, which was held on May 9,
 8 2011. The crier in turn e-mailed a copy of the Summons to Regional, and Regional then notified the
 9 servicer.

10. 3. Diversity Jurisdiction: To the best of Defendant Regional and MERS' knowledge, no
 11 defendants have been served with the Summons and Complaint, and no defendants are citizens of
 12 Nevada. MERS is a Delaware corporation with its principal place of business in Virginia; Regional is
 13 a corporation with its headquarters and principal place of business in Washington; and First Horizon
 14 Home Loans Corporation is a corporation registered in Texas with its headquarters in Tennessee.
 15 Plaintiff Oscar Garcia is a citizen of Nevada. The amount in controversy exceeds \$75,000.00, as
 16 Plaintiff obtained a loan in the amount of \$244,925.00 to purchase the subject property, and seeks to
 17 void the subject deed of trust.

18. 4. Defendants Regional and MERS' Notice of Removal was filed timely pursuant to 28
 19 U.S.C. § 1446(b), as no service of process has been made more than 30 days ago.

20. 5. Defendant Regional and MERS' Notice of Removal was not filed more than one year
 21 after commencement of the state court action.

22. 6. Defendants who did not formally join in the Notice of Removal: To date and to the
 23 best of Defendants Regional and MERS' knowledge, defendant First Horizon Home Loans

Corporation has not been properly served with Summons and Complaint and has not appeared in this action. As such, no joinder of this defendant is required to perfect removal of the state court action.

Plaintiff has not filed any proof of service of the Summons and Complaint on any defendant.

7. Service of Minute Order: Pursuant to the attached Certificate of Service, Defendants Regional and MERS have served Plaintiff, the only other party appearing in this action to date, with a copy of the Court's Minute Order dated July 5, 2011.

DATED this 21st day of July, 2011.

/s/ Joe Solseng
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Las Vegas, NV 89103
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Attorneys for Defendant Regional Trustee Services Corp., and
Mortgage Electronic Registration Systems, Inc.

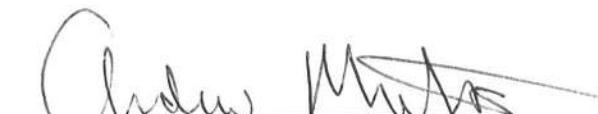
1
2 CERTIFICATE OF SERVICE
3
4

5 I hereby certify that on July 21, 2011, I electronically filed the foregoing DEFENDANTS
6 REGIONAL TRUSTEE SERVICES CORPORATION AND MORTGAGE ELECTRONIC
7 REGISTRATION SYSTEMS, INC.' REMOVAL STATEMENT with the Clerk of the Court using
8 the CM/ECF system, which will send notice of electronic filing to all parties listed on the Notice of
9 Electronic Filing.

10 I further certify that on July 21, 2011, I caused a copy of the MINUTES OF THE COURT
11 DATED JULY 5, 2011 to be deposited in the United States Mail, postage prepaid to the following
12 address:

13 Terry J Thomas
14 7330 Hunter Glen Drive
15 Reno, NV 89523

16 DATED this 21st day of July, 2011, at Seattle, Washington.
17

18 
19 Andrew Minton
20 An employee of Robinson Tait, P.S.